

NEWS FROM DELAWARE'S OFFICE OF ENVIRONMENTAL PROTECTION, 10/23/12

The biweekly E-News Update features current information on the Divisions of Air Quality, Waste and Hazardous Substances, and Water public meetings, workshops, hearings, and regulatory documents available for public comment, as well as news updates. For those of you who are receiving the E-News Update for the first time, the subscription is FREE! Please sign up at the following link under the Divisions of Air Quality and Waste and Hazardous Substances:

<http://www.dnrec.delaware.gov/Pages/DNRECLists.aspx>.

There is no form to fill out; it's done in three clicks! Suggestions? Additions? Please call Tracy Sargent at 302-739-9400, or send an email to tracy.sargent@state.de.us.

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UPCOMING AIR, WASTE, & WATER-RELATED HEARINGS, MEETINGS, & EVENTS

AIR

PUBLIC HEARING ON PROPOSED REDESIGNATION OF NEW CASTLE COUNTY TO ATTAINMENT-FINE PARTICULATE STANDARDS - October 23, 2012 – 6-6:30pm Location: Richardson-Robbins Auditorium, 89 Kings Highway, Dover, DE 19901. Public hearing on a request to the United States Environmental Protection Agency (U.S. EPA) to re-designate New Castle County, Delaware, to "attainment" under the 1997 annual and 2006 daily PM_{2.5} National Ambient Air Quality Standards (NAAQS), and an associated proposed revision to its State Implementation Plan (SIP). For more information, please contact Jack Sipple at (302) 739-9402, or visit: <http://egov.delaware.gov/pmc/#agency114>

PUBLIC HEARING ON PROPOSED SIP REVISION CLEAN AIR ACT SECTION 110(a)(2)(E)(ii) and 128 - October 23, 2012 – 6-6:30pm. Location: Richardson-Robbins Auditorium, 89 Kings Highway, Dover, DE 19901. DNREC is proposing to revise the SIP to include a document that address the requirements of CAA §§ 110(a)(2)(E)(ii) and 128, which relate to disclosure and conflicts of interest. For more information, please contact Ron Amirikian at (302) 739-9402, or visit: <http://egov.delaware.gov/pmc/#agency114>

WASTE & HAZARDOUS SUBSTANCES

RECYCLING PUBLIC ADVISORY COUNCIL (RPAC) MEETING - October 25, 2012 – 10-12:00 noon Location: DNREC's office at 391 Lukens Drive, New Castle, DE 19720. Topics on the agenda include: bottle fee collection update; SJR 8 - Carpet recycling strategy subcommittee meeting report out; SR 24 - plastic bags committee meeting report out; and a plastics to oil demonstration. For more information or for directions to the meeting location, please contact Cathy Hartman Thompson, Solid & Hazardous Waste Management Section at 302-739-9403, or visit: <http://www.dnrec.delaware.gov/News/Pages/Recycling-Public-Advisory-Council-to-meet-Thursday,-October-25-at-DNRECs-Lukens-Drive-office.aspx>

PUBLIC HEARING ON ADOPTION OF PROPOSED AMENDMENTS TO DELAWARE'S REGULATIONS GOVERNING HAZARDOUS WASTE – October 25, 2012 – 6-6:30pm. Location: Richardson-Robbins Auditorium, 89 Kings Highway, Dover, DE 19901. Pursuant to 7 Del. C. Chapters 60 and 63, DNREC is holding a public hearing to consider adoption of proposed amendments to Delaware's Regulations Governing Hazardous Waste. For more information, please contact Bill Davis or Karen G. J'Anthony at (302) 739-9403, or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1626&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

BROWNFIELDS ADVISORY COMMITTEE MEETING – December 6, 2012 – 9-12:30pm

Location: DNREC's office at 391 Lukens Drive, New Castle, DE 19720. The Brownfields Advisory Committee (BAC) will hold a meeting on March 1, 2012 from 9:00am – 12:30pm at the DNREC Lukens Drive Field Office, 391 Lukens Drive, New Castle - 19720 to review the draft Delaware Regulations Governing Hazardous Substance Cleanup and provide input for DNREC's Brownfields Development Program. For additional information please contact Christina Wirtz at (302) 395-2600 or visit: <http://egov.delaware.gov/pmc/Event/Details/18732>

WATER

CITIZENS TECHNICAL ADVISORY COMMITTEE MEETING – November 7, 2012 – 9-12:00 noon.

Location: Kent County Administration Building, Bay Road, Dover, DE, 19901. For additional information, please contact Dawna Nickerson at (302) 739-9950, or visit the Statewide Calendar at: <http://egov.delaware.gov/pmc/?open>

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE REGULATIONS GOVERNING THE DESIGN, INSTALLATION, AND OPERATION OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS - November 15, 2012 - 6:30pm.

Location: DNREC Auditorium, 89 Kings Highway, Dover, DE, 19901. DNREC's Ground Water Discharges Section (GWDS) is holding a public hearing regarding proposed amendments to the Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems. For more information, please contact Jennifer Owens, Ground Water Discharges, 89 Kings Highway, Dover, DE 19901 (302) 739-9948; or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1640&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FPages%2FPortal%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DOCUMENTS AVAILABLE FOR PUBLIC COMMENT OR APPEAL

AIR

AIR QUALITY PERMITTING PROGRAM – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the “draft/proposed” permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit, may be inspected at the offices of the Division of Air Quality, 655 S. Bay Road, Dover and 715 Grantham Lane, New Castle. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, 655 S. Bay Road, Suite 5 N, Dover, DE 19901. To submit comments, for additional information, or for an appointment to inspect the application, please contact Laura Bogus at (302) 739-9402.

FEDERALLY ENFORCEABLE 7 DE ADMIN. CODE 1102 APPLICATIONS

1. Brandenburg Industrial Service Company, requests a 7 DE Admin. Code 1102 permit to operate a mobile crusher unit at Calpine Mid-Atlantic Generation, LLC. Edge Moor Energy Center facility located at 200 Hay Road, Wilmington, Delaware.
2. Department of Health and Social Services (DHSS) Public Health Laboratory requests permission for the operation of one (1) emergency generator, rated 750 horsepower maximum power output (559 kw) at 30 Sunnyside Road, Smyrna, Delaware.

A public hearing on the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application by October 29, 2012. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1627&Source>

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1630&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

WASTE AND HAZARDOUS SUBSTANCES

SITE INVESTIGATION AND RESTORATION SECTION – The Division's Site Investigation and Restoration Section (SIRS) is responsible for the identification, evaluation and remediation of sites in Delaware that have had past releases of hazardous substances. The Section manages the contaminated sites under three major programs in accordance with the Hazardous Substance Cleanup Act (HSCA). The three programs are the Brownfields Development Program, the Voluntary Cleanup Program (VCP) and the HSCA Enforcement Program (for sites requiring enforcement action). The Brownfields Development Program encourages the cleanup and redevelopment of vacant, abandoned or underutilized properties, which may be contaminated. A party seeking to develop such a property negotiates with SIRS for a Brownfields Development Agreement (BDA) to perform an investigation and, if necessary, a remedial action or remedy, for the purpose of addressing the risks posed by past releases of hazardous substances at these sites. However, a BDA is only available to parties that are not current site owners. The Voluntary Cleanup Program (VCP) Agreement is available to site owners, who want to clean up their sites and are already liable as a potentially responsible party for the site.

For site-specific information on the following sites, please see SIRS's superfund site files database at: <http://docs.dnrec.delaware.gov/sirbsitefiles.cfm>. Proposed and final plans of remedial action are available online at: <http://www.dnrec.delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx> under "Announcements."

NOTIFICATION OF NEGOTIATIONS CONCERNING A VOLUNTARY CLEANUP PROGRAM AGREEMENT FOR THE SUNRISE CLEANERS SITE (DE-1532):

DNREC is currently negotiating a VCP Agreement with Shoppes of Hockessin, LLC regarding the Sunrise Cleaners Site. The 2.87 acre site is located at 7288 Lancaster Pike in Hockessin and is identified by New Castle County as tax parcel number 08-008.30-101. For additional information, please contact Bob Asreen at (302) 395-2600, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1631&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

AMENDED FINAL PLANS OF REMEDIAL ACTION FOR THE MARINA OVERLOOK SITE (OPERABLE UNITS-1 and 2; DE-1328):

The Department has adopted the amended plans regarding the clean-up of Operable Units 1 and 2 of the Marina Overlook Site located in Wilmington, Delaware. The public may appeal the Amended Final Plans by October 29, 2012. For additional information, please contact Lindsay Hall, Project Manager, or Robert Newsome, Public Information Officer, at (302) 395-2600, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1619&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

PROPOSED PLAN OF REMEDIAL ACTION FOR THE FORMER MILTON RIVERFRONT (DE-1517):

The Department invites public comment on a proposal to clean up the Former Milton Riverfront Site located at 117 Front Street in Milton, Delaware. The comment period ends on October 29, 2012. For additional information, please contact Kathryn Durant, Project Manager, or Robert Newsome, Public Information Officer, at (302) 395-2600, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1621&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

PROPOSED PLAN OF REMEDIAL ACTION FOR THE CROZIER CENTER SITE OU-3 (DE-1428):

The Department invites public comment on a proposal to clean up the Crozier Center Site Operable Unit 3 (OU-3) located at 4051 Ogletown Road in Newark, Delaware. The comment period ends on October 29, 2012. For additional information, please contact Rick Galloway, Project Manager, or Robert Newsome, Public Information Officer, at (302) 395-2600, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1620&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

AMENDED PROPOSED PLAN OF REMEDIAL ACTION FOR THE FORMER AMERICAN SCRAP & WASTE SITE (DE-1131): DNREC has adopted a plan regarding the clean-up of the Former American Scrap & Waste site located in Wilmington. The site is currently owned by C&G Property Associates, LLC. The site is being redeveloped as an industrial park. The public may appeal this Amended Final Plan by Nov. 12, 2012. For additional information, please contact Wendy March, Project Manager, or Robert Newsome, Public Information Officer, at (302) 395-2600, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1638&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION

Record of Decision

DNREC-Solid and Hazardous Waste Management Section (SHWMS) has issued a Record of Decision (ROD) to W.L. Gore and Associates (Gore) for corrective measures to be implemented at the Paper Mill West Facility, located at 555 Paper Mill Road, Newark, Delaware. For additional information, please contact Doug Zeiters of the SHWMS at (302) 739-9403, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1624&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Permit Suspension

Pursuant to the authorities granted by 7 Del. C., Chapter 60 and Delaware's Regulations Governing Solid Waste, DNREC is providing notice of its intent to suspend the permit for the resource recovery facility identified below. The primary basis for the decision to suspend the permit identified is for failure of the facility to comply with numerous terms of their permit. Mike Davidson Enterprises, LLC (Resource Recovery Facility Permit No. SW-09/03) Suspension of the permit identified above shall become effective 30 days from the date of the publication of this Notice. Any request for a public hearing must be received by DNREC in writing on or before 4:30 p.m. on October 26, 2012. For more information, please

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1611&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Permits Pending

DNREC-Division of Waste and Hazardous Substances hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware:

A.J. Blosenski, Inc.; Biomedical Waste Services Inc.; David A. Bramble Inc.; Envirite of Pennsylvania, Inc. dba EQ Pennsylvania; Folcher Enterprises LLC; Gerald Tsoi Trucking Inc.; Grady & Sons Excavation LLC; International Petroleum Corporation of Delaware; Michael Sinclair, Inc.; Neier, Inc.; R. Keating & Sons, Inc.; Sentinel Transportation, LLC; Siding Connection.

A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by October 25, 2012. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1625&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DNREC-Division of Waste and Hazardous Substances, hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware:

American Disposal Systems, Inc.; D & D Contractors, Inc.; Guardian Environmental Services Company, Inc.; Richard's Paving, Inc.; WM Healthcare Solutions, Inc.

For additional information, or an appointment to inspect the applications, please contact Kenneth F. Green, DWHS/SHWMS, 89 Kings Hwy, Dover, DE 19901, at (302) 739-9403. A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by November 1, 2012. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1636&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

WATER

GROUND WATER DISCHARGES SECTION

The proposed revisions to the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems were initially published in the State Register on April 1, 2012. DNREC is now re-opening the record for an additional thirty (30) days, beginning on Monday, October 1, 2012, through close of business on Tuesday, October 30, 2012, in order to vet revisions to the public, and to enable DNREC to receive additional public comment on the revisions to the Regulations. For more information, please contact: Jennifer Owens, Ground Water Discharges, 89 Kings Highway, Dover, DE 19901 (302) 739-9948; or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1605&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Roberts' Septic Inc. has applied to the Ground Water Discharges Section for a renewal of Non-Hazardous Liquid Waste Transporters Permit DE WH-034, which allows for the transport of septage and holding tank waste to be disposed of at the South Coastal Regional Wastewater Treatment Facility in Sussex County. A public hearing on the above application will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest, or if a written meritorious objection to the application is received by Nov. 5, 2012. For more information, please contact: Jennifer Owens, Ground Water Discharges, 89 Kings Highway, Dover, DE 19901 (302) 739-9948; or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1637&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

SURFACE WATER DISCHARGES SECTION

Agricultural Utilization & Non-Hazardous Liquid Waste Transporter Permit Amendments

Enviro-Organic Technologies, Inc. of New Windsor, Maryland has requested that their existing permits to transport Dissolved Air Flotation (DAF) and operate a land treatment system for the agricultural utilization of DAF solids, under Part's III and V of the Department's Guidance and Regulations Governing the Land Treatment of Wastes, be amended to include DAF solids from Kelly Foods Corp (Maryland), Mountaire Farms of Delaware, Inc. Millsboro and Selbyville (Delaware) facilities, Perdue Farms, Inc. Milford (Delaware) facility and Pet Poultry Products, Inc. Bridgeville (Delaware) facility. A public hearing on the above application will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received within 30 days of this notice (November 17, 2012), regarding the land treatment system application, or within 15 days of this notice (November 2, 2012), regarding the Transporters application. For more information, please contact Brian Churchill at (302) 739-9946 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1635&Source>

Delaware Department of Transportation – (linear project) – US 301, Section 2 - to permanently impact 10 acres of non-tidal wetlands and 26,321 square feet of waterways and to temporarily impact 1.2 acres of non-tidal wetlands and 10,769 square feet of waterways in the Sandy Branch and Drawyers Creek watersheds to construct a 4 mile section of the new alignment of the new US Route 301 four lane limited access highway, from west of Levels Road, extending north of Armstrong Corner Road to the Norfolk Southern Railroad, in the Middletown

area, New Castle County, DE. Mitigation will be completed as part of a mitigation package for the entire 301 construction project.

Subaqueous Lands Applications

Diamond State Port Corporation (Tax Parcel No. 26-067.00-003) to excavate 3.4 cubic yards of material, to stabilize 105 linear feet of shoreline with 8.7 cubic yards of riprap and 730 square feet of concrete mat, and to construct a 12 by 18 foot support slab for a pier in the Christina River, at the Port of Wilmington, New Castle County, DE

Port Lewes Condominium Association (TM 3-35-5.00-5.00) to construct 200 linear feet of rip-rap revetment along the Delaware Bay at Port Lewes off of Cape Henlopen Road, Lewes, Sussex County, DE

John Beecher (Tax Parcel # 3-35-8.08-136.00) to install a 6 by 98 foot rip-rap revetment in the Lewes Rehoboth Canal at 300 Gills Neck Road, Lewes, Sussex County, DE

EMPLOYEE UPDATES

Patricia Magee, Paralegal in the Tank Management Section (TMS), resigned effective 10/17.

Heather Pellrin, Management Analyst II in SHWMS, resigned effective 10/19.

Ryan Holzbaur, Paralegal (Conservation District) in TMS, started 10/22.

CONTACT INFORMATION

24-Hour Report and Spill Notification Line - 1-800-662-8802

Aboveground Storage Tanks - 302-395-2500

Air Quality - New Castle Office - 302-323-4542

Asbestos New Castle - 302-323-4542

Asbestos Kent & Sussex - 302-739-9402

Biosolids Permits - 302-739-9946

Boiler Safety - 302-744-2735

Brownfields - 302-395-2600

Delaware Estuary Program - 302-739-9949

Division of Air Quality Director's office - 302-739-9402

Division of Waste and Hazardous Substances Director's Office - 302-739-9400

Division of Water Director's Office - 302-739-9950

Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands – 302-739-9943

Emergency Prevention and Response - 302-739-9404

Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802

Hazardous Waste - 302-739-9403

Loans & Grants for Wastewater and Septics (Financial Assistance Branch) - 302-739-9941

Medical Waste - 302-739-9403

Non-Hazardous Liquid Waste Transporters - 302-739-9948

On-site Wastewater Licensing Program - 302-739-9948

Open Burning - 302-739-9402

Outreach Ombudsman - 302-395-2515

Recycling - 302-739-9403

Septic System Permits - Large Systems (Community & I/A) State-wide - 302-739-9948

Septic System Permits - Small Systems for Kent & New Castle Counties - 302- 739- 9947

Septic System Permits - Small Systems for Sussex County & Holding Tank Compliance Program - 302-856-4561

Site Investigation & Restoration Branch (Superfund/Brownfields) - 302-395-2600

Solid Waste - 302-739-9403

Source Water Protection - 302-739-9945

Stormwater Permits - 302-739-9946

Surface Water Discharge Permits (NPDES) - 302-739-9946
Underground Injection Control & Spray Irrigation - 302-739-9948
Underground Storage Tanks - 302-395-2500
Wastewater Collection, Conveyance and/or Treatment Facility Construction Permits – 302-739-9946
Wastewater Treatment Facility Operators - 302-739-9946
Water Allocation Permits - 302-739-9945
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630
Well Driller's License - 302-739-9944
Well Permits & Licensing - 302-739-9944